IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

BIFR CASE NO.252 OF 1987

M/s.Badhekar Paper Mfg.Pvt.Ltd. Company

Petitioner & advocate absent.

Mr.C.N.Mehta for respondent company.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 6th July 2006

PC :

1. The BIFR opinion which has been forwarded to this Court contains an order passed on 3rd April/15th April 2002. This Court has passed an order in which it is recorded that the opinion of BIFR was challenged in appeal before AAIFR.. As far as fate of the appeal is concerned, I am informed by Shri Mehta appearing for respondents that the Appeal No.152 of 2002 was allowed and the matter was remanded to BIFR.. Now, the scheme has been framed for rehabilitation. The scheme in fact was directed to be implemented by AAIFR and the BIFR is implementing the same. He relies upon communications with regard to the

review hearing. This review hearing is to monitor the implementation of scheme and steps taken in that behalf.

2. In the light of the above, in law, it is clear that the opinion of BIFR recommending winding up does not survive and, therefore, the company application/petition for winding up which is entertained pursuant to this opinion of BIFR itself would not survive. The same stands disposed of accordingly.

(S.C.DHARMADHIKARI, J.)